

REMARKS

Claims 27-41 are pending in this application. By this Amendment, claims 27 and 31-32 are amended and withdrawn claims 42-43 are canceled. Applicants reserve the right to file a divisional application to pursue claims 42-43. Claim 27 is amended to add that the information includes information on an energy cost of the onboard battery based on the charge and discharge histories of the onboard battery. Support can be found at, for example, paragraph [0039] of the specification as published. Claims 27 and 31 are amended as proposed by the Office Action to recite "lowest power generation cost of the plurality of power sources". Claim 32 is amended to address grammar. No new matter is added.

I. The Claims Are Definite

The Office Action rejects claims 27-41 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

By this Amendment, claims 27 and 31 are amended to change "low power generation cost" to "lowest power generation cost of the plurality of power sources" as suggested by the Office Action. Applicants request withdrawal of the rejection.

II. The Claims Are Patentable Over The Applied References

The Office Action (1) rejects claims 27-37 under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2004/0074682 to Fussey et al. (Fussey); (2) rejects claim 38 under 35 U.S.C. §103(a) over Fussey in view of U.S. Patent No. 6,554,088 to Severinsky et al. (Severinsky); and (3) rejects claims 39-41 under 35 U.S.C. §103(a) over Fussey in view of U.S. Patent No. 6,201,312 to Shioiri et al. (Shioiri). Applicants respectfully traverse the rejections.

Regarding independent claim 27, Fussey fails to disclose "the information further includes information on an energy cost of the onboard battery based on charge and discharge histories of the onboard battery" (emphasis added).

Fussey discloses hybrid power for a vehicle 10 that includes internal combustion (IC) engine 20 and electric motor / generator 14 (Fig. 1; paragraph [0002]). The decision of when to use electric power is dictated by a "objective function", also called the "system cost" and the "specific cost", that optimizes the cost of generating electricity (paragraph [0030]). For example, a lowest cost is determined from the amount of energy that must be generated (paragraph [0032]).

Fussey fails to disclose the feature quoted above because Fussey does not disclose adjusting a power supply distribution of the plurality of power sources based on information that includes information on an energy cost of the onboard battery based on charge and discharge histories of the onboard battery, as claimed. Severinsky and Shioiri, cited as disclosing other features of dependent claims, do not cure the deficiencies of Fussey.

For the foregoing reasons, Applicants request withdrawal of the rejections.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Request for Continued Examination (RCE)

Date: August 6, 2008

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